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as to whether state laws should supersede charter provisions and as to the powers of the municipalities over taxation, eminent domain, elections, matters of police, public utilities and claims against the city. The judicial decisions thus far rendered are already sufficient in number and importance to constitute a separate branch of state constitutional law, and it has been Professor McBain's purpose to codify these decisions and write a treatise which will be useful to the profession and to courts in states where home rule provisions prevail.

There are thus exhaustive chapters on the questions which have arisen under home rule charters in Missouri, California, Washington, Minnesota, Colorado, Oklahoma, Arizona, Oregon, Michigan, Ohio, Nebraska and Texas. More than five-sixths of the book is taken up with this enumeration and comment on the decisions, more space being devoted to Missouri and Oklahoma than to the other ten states because the system has been in operation longer—in Missouri since 1875 and in California since 1879.

But this is not the primary object of the volume. "The effort has been made," says Professor McBain, "to study the cases not only for the legal principles declared but also in the light of the practices both of cities in the making of charters and of legislatures in the enactment of laws. This, then, is the primary object of this work—to wit, that the specific questions that have arisen may be marshaled into review; that the difficulties, real and otherwise, which the courts have encountered in construing home rule provisions of constitutions may be understood and appreciated; and that the actual relation in law between the city as an autonomous unit and the state government as its restricted superior may be comprehended to the extent at least to which it has been settled by judicial decree and by charter and statutory practices." A concluding chapter summarizes the principles running through the decisions, and answers many questions which are puzzling to the framer of charters and the legislator who passes laws dealing with municipal powers.

The first three chapters of the book consider the origin and development of the home rule problem with particular reference to legislative power over cities and constitutional protection against specific abuses and against special legislation. The statement is concise and accurate; but the ground has been covered before, notably by Goodnow's *Municipal Home Rule*, which, while out of date, is still useful. Taken as a whole, Professor McBain has done a solid piece of work which will serve admirably the practitioner and the municipal scientist.

THE LAW OF PUBLIC SCHOOLS, by Harvey Cortlandt Voorhees. (Boston: Little, Brown & Co., 1916, pp. lvii, 429.)

The author, because of the great and growing importance of the public school system in our national existence, has selected a subject a treatise of which should prove of widespread interest not only to the legal profession but to the public at large. As he points out, the state of tomorrow is dependent to a large extent upon the public school

system of today, and there is scarcely anyone who is not affected by, and interested in, our public schools.

In this work the author has adopted the plan of giving the common law rules, so far as the common law recognized the rights and duties concerning the subject of schools and education, and then proceeding to give the modifications and enlargements of these rules by modern statutes. Great care has been taken to compile many interesting facts throughout the book. Especial attention is given to school districts, their formation and their powers. The relation of teacher and pupil is also treated at some length, and the duties and rights of each toward the other are considered in a very practical manner. Perhaps one of the most valuable chapters consists of a recapitulation of the principal statutes relative to public schools in each state.

The book is written in a clear style, and the subject is treated from a practical standpoint, making it easily read and very interesting. Owing to the scarcity of authority cited to uphold many of the proposition laid down, it will doubtless be of more value to school officials than to the legal profession.

R. W. B.

THE LAW OF AUTOMOBILES, by Xenophon P. Huddy, LL.B. Fourth edition, by Howard C. Joice. (Albany: Matthew Bender & Co., 1916, pp. xxxii, 576.)

This book contains a comprehensive and thorough discussion of the law relevant to automobiles, from its earliest doctrines down to its latest developments, including the law of "jitneys." The chapters deserving special mention are: Chapter IV, on "The Right of Automobiles to Use Highways and Streets;" Chapter VI, on "Operation on the Highway;" Chapter XIII, on "Proof of Speed;" Chapter XVI, on "Defending Speed Cases" and the two new chapters, Chapter XXVII, on "Insurance" and Chapter XXVIII, on "Jitneys."

It was the author's special endeavor to reduce the law on this subject to a compact volume which would be free from technical phraseology and perfectly clear to the layman as well as to the lawyer. He has well succeeded in this endeavor. From the viewpoint of the practitioner, the book, with its terse statements of the law, its numerous full but concise footnotes and its well arranged index, is a tool with which it is a pleasure to work, and which, it would seem, no lawyer whose practice includes automobile cases could well afford to be without. From the viewpoint of the layman, on the other hand, it is lacking in the usual earmarks of the law book, in that it is written in an entertaining style, and lacks the abstruse technical phraseology so frequently found in legal works. It is a book that the layman can read and understand. While it is not entirely free from faults, it is replete with excellent points, and shows the results of thorough research and painstaking care on the part of both the author and the reviser.

T. S. H.